

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Patrick Harrison	Team: Team # 2	CCRB Case #: 201200271	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 09/04/2011 12:00 AM, Monday, 09/05/2011 12:14 AM	Location of Incident: § 87(2)(b)	Precinct: 47	18 Mo. SOL 3/5/2013	EO SOL 3/5/2013	
Date/Time CV Reported Mon, 01/02/2012 11:39 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 01/06/2012 2:35 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Brandon Ravelo	26010	948409	047 PCT
2. SGT Timothy Dowling	01693	932571	PBBX
3. POM Carlos Perez	26639	948262	047 PCT
4. Officers			

Officer(s)	Allegation	Investigator Recommendation
A.POM Carlos Perez	Abuse: PO Carlos Perez stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.	§ 87(2)(b)
B.POM Brandon Ravelo	Abuse: PO Brandon Ravelo stopped the car in which § 87(2)(b) and § 87(2)(b) were occupants.	§ 87(2)(b)
C. Officers	Force: Officers pointed thier guns at § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)
D.POM Brandon Ravelo	Abuse: PO Brandon Ravelo searched § 87(2)(b)	§ 87(2)(b)
E.POM Brandon Ravelo	Discourtesy: PO Brandon Ravelo acted discourteously toward § 87(2)(b)	§ 87(2)(b)
F.POM Brandon Ravelo	Abuse: PO Brandon Ravelo damaged § 87(2)(b)'s property.	§ 87(2)(b)
G.POM Brandon Ravelo	Discourtesy: PO Brandon Ravelo spoke discourteously to § 87(2)(b) and individuals.	§ 87(2)(b)
H.POM Brandon Ravelo	Force: PO Brandon Ravelo used physical force against § 87(2)(b)	§ 87(2)(b)
I.SGT Timothy Dowling	Off. Language: Sgt. Timothy Dowling made remarks to § 87(2)(b) based upon race.	§ 87(2)(b)

Case Summary

On January 2, 2012, at 11:39 a.m., § 87(2)(b) filed this complaint via telephone with IAB (encl. 3A). On January 6, 2012, the case was referred to the CCRB under log 12-00321 (encl. 5A-C). On September 5, 2011, at 12:02 a.m., § 87(2)(b) called 911 to complain that a group of armed females in a dark green Dodge Durango were making threats at her house at § 87(2)(b), located between § 87(2)(b) in the Bronx. Officers responded to the location and, at 12:14 a.m., § 87(2)(b) was issued two summonses for § 87(2)(b). The following allegations resulted:

- **Allegation A – Abuse of Authority: PO Carlos Perez stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.**
- **Allegation B – Abuse of Authority: PO Brandon Ravelo stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.**
- **Allegation C – Force: Officers pointed their guns at § 87(2)(b) and § 87(2)(b)**
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
- **Allegation D – Abuse of Authority: PO Brandon Ravelo searched § 87(2)(b)**
- **Allegation E – Abuse of Authority: PO Brandon Ravelo acted discourteously toward § 87(2)(b)**
- **Allegation F – Abuse of Authority: PO Brandon Ravelo damaged § 87(2)(b)'s property.**
- **Allegation G – Discourtesy: PO Brandon Ravelo spoke discourteously to § 87(2)(b) and individuals.**
- **Allegation H – Force: PO Brandon Ravelo used physical force against § 87(2)(b)**
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
- **Allegation I – Offensive Language: Sgt. Timothy Dowling made a remark to § 87(2)(b) based upon race.**
§ 87(2)(g)
§ 87(2)(g)

Results of Investigation

Civilian Statements

Complainant/Victim: § 87(2)(b)

- § 87(2)(b) *a black man who stands 6'2" tall, weighs 250 lbs., and has brown hair and brown eyes, was § 87(2)(b) old at the time of the incident.*

CCRB Statement

On January 2, 2012, at 11:39 a.m., § 87(2)(b) filed this complaint via telephone with IAB (encl. 3A). On § 87(2)(b), § 87(2)(b) filed a Notice of Claim with the City of New York regarding the incident (encl. 4A-H). On January 17, 2012, § 87(2)(b) was interviewed at the

CCRB (encl. 6AE). On April 4, 2012, § 87(2)(b) answered clarification questions at the CCRB (encl. 7A). § 87(2)(g)

On September 4, 2011, at approximately 10:33 p.m., § 87(2)(b) and his friend § 87(2)(b) arrived at § 87(2)(b) in the Bronx in § 87(2)(b)'s blue Dodge SUV. § 87(2)(b) and § 87(2)(b) were returning to the Bronx from an amusement park in Brooklyn, and § 87(2)(b) was driving. § 87(2)(b) began to parallel park her car on § 87(2)(b) approximately one quarter block east § 87(2)(b), near § 87(2)(b)'s home at § 87(2)(b).

Before § 87(2)(b) finished parking, PO Carlos Perez and PO Brandon Ravelo (both identified by investigation) pulled up behind them in a marked car with activated turret lights. (PO Perez was described as a 43-year-old white man of medium build with dark hair who was the taller of the two officers at 5'9" to 6'1" tall. PO Ravelo described as a 38- or 39-year-old Hispanic Man who stood 5'5" to 5'7" tall and was overweight. In his CCRB interview, § 87(2)(b) stated that he was told by unidentified individuals after the incident that PO Ravelo's name was "Martinez." In his April 4, 2012 phone statement, § 87(2)(b) stated that he read PO Ravelo's name off his shield as "Martinez.")

The turret lights on PO Ravelo and PO Perez's car made § 87(2)(b) become "bipolar," and he began telling himself out loud to stay calm. § 87(2)(b) stated in his CCRB interview that when he becomes "bipolar" he experiences racing thoughts, migraines, and heightened sensory perception, behaves exaggeratedly, loses an awareness of how he is acting, and sometimes "blacks out" entirely. § 87(2)(b) was on medication for bipolar disorder at the time of the incident. § 87(2)(b) could not recall whether he shouted at all during the incident because his condition prevented him from clearly recalling the incident.

PO Ravelo and PO Perez exited their car and pointed their guns at § 87(2)(b) and § 87(2)(b). The officers instructed § 87(2)(b) and § 87(2)(b) to put their hands up, lower the vehicle windows, and exit the car. The officers did not ask § 87(2)(b) or § 87(2)(b) any questions before instructing them to exit the car. In his CCRB interview, § 87(2)(b) stated that he and § 87(2)(b) complied with these instructions and that he did not make any movements inside the car prior to exiting. In his statement to IAB, § 87(2)(b) stated that PO Ravelo pulled him out of the car.

Sometime either before or after § 87(2)(b) or § 87(2)(b) exited the car, PO1 (an officer who could not be identified by the investigation and was described by § 87(2)(b) as a 27- or 28-year-old light-skinned, Hispanic woman who stood 5'9" to 6'1" tall and had a medium build) arrived at the location in a second car. PO1 approached § 87(2)(b) and PO Ravelo and PO Perez approached § 87(2)(b). No officers had any physical contact with § 87(2)(b).

§ 87(2)(b) was instructed to put his hands on the vehicle, and he complied. PO Ravelo then searched § 87(2)(b)'s cargo pockets. PO Ravelo did not question § 87(2)(b) or frisk him prior to searching him, and § 87(2)(b) did not make any statements prior to being searched. The forcefulness with which PO Ravelo shoved his hands in § 87(2)(b)'s pockets caused § 87(2)(b)'s pants to slide down to his thighs, exposing his underwear. (In his Notice of Claim, § 87(2)(b) stated that his pants "fell off.") § 87(2)(b) asked PO Ravelo to pull them up. PO Ravelo told § 87(2)(b) "Shut the fuck up, dick." PO Ravelo called him "dick" 30 to 40 times while searching him. § 87(2)(b) told PO Ravelo that he had just come from an amusement park and lifted his hand off the car arm to show PO Ravelo his wristband from the amusement park. In

his CCRB interview, § 87(2)(b) initially stated that he lifted his hand half an inch off the car but later stated that he lifted his hand slightly less than a foot off the car. PO Ravelo grabbed § 87(2)(b)'s hand and placed it back on the car. PO Ravelo ripped off § 87(2)(b)'s watch, breaking the band, and his necklace and tossed them onto a nearby parked car. PO Ravelo then searched § 87(2)(b)'s front pockets, extracted their contents—which included both paper money and coins, cigarettes, and lip gloss—and tossed the contents onto nearby parked cars. PO Perez did not do or say anything during the search.

A crowd of approximately 30 people gathered on both side of the sidewalks. § 87(2)(b) initially stated that civilians were close enough to immediately pick up the possessions that PO Ravelo removed from his pockets, but later said that all the civilians, except § 87(2)(b) and her relatives (discussed below), stayed four or five car lengths away from the location. No one attempted to physically interfere in the incident. Individuals in the crowd shouted, asking officers why they were doing this to § 87(2)(b). PO Ravelo told the crowd as a whole to shut the “fuck” up and mind their “fucking” business.

§ 87(2)(b)'s neighbor, § 87(2)(b)'s daughter, § 87(2)(b) and at least one other female relative of § 87(2)(b) (no name or description provided) approached the officers. § 87(2)(b) initially stated that § 87(2)(b) and her relatives approached after his cargo pockets had been searched and later said that they approached while his cargo pockets were being searched. § 87(2)(b) identified herself to the officers as the complainant and stated that § 87(2)(b) and § 87(2)(b) were not the perpetrators. (The investigation determined that § 87(2)(b) had called 911 at 12:02 a.m. on September 5, 2012 to complain about a group of armed females in a dark green Dodge Durango making threats at § 87(2)(b). § 87(2)(b) told the officers that the perpetrators were in a car of the same make as § 87(2)(b)'s, but that the perpetrators car was green rather than blue, had New York State license plates, and was driven by four females. PO Ravelo told § 87(2)(b) to shut up, to get the “fuck” away from him, and that he did not give a “shit” what she said. § 87(2)(b) gathered § 87(2)(b)'s possessions from where PO Ravelo had discarded them.

PO Ravelo rear handcuffed § 87(2)(b). § 87(2)(b) asked PO Ravelo to pull up his pants. PO Ravelo told § 87(2)(b) to “shut the fuck up, dick,” and then lifted the handcuffs up, causing § 87(2)(b) to lose balance and fall forward. In his Notice of Claim, § 87(2)(b) stated that as a result of the fall his head struck a vehicle. In his CCRB interview, § 87(2)(b) stated that as a result of the fall his head struck the ground, causing a cut to his hairline which began bleeding. In addition to the wound on his head, § 87(2)(b) incurred swelling and cuts on his wrists caused by his handcuffs. § 87(2)(b) became furious after incurring his head injury but did not at any point during the incident physically resist any officers, make any threatening or provocative movements or gestures toward the officers, or fail to comply with any instructions given to him by any officers. In his statement to IAB, § 87(2)(b) stated that PO Ravelo and other unspecified officers “beat the shit out” of him, but § 87(2)(b) did not repeat this allegation in his CCRB interview.

Approximately eight to ten additional officers arrived at the location. § 87(2)(b) could not describe any of the officers except, Sgt. Dowling (identified by investigation, described as a white man who stood 5’7” tall, had short hair, and whom § 87(2)(b) observed giving instructions to other officers, including PO Ravelo). § 87(2)(b) believed that he recognized Sgt. Dowling, and ask him if he (Sgt. Dowling) recognized him. § 87(2)(b) Sgt. Dowling told § 87(2)(b) that he did not know who the “fuck” § 87(2)(b) was and to turn his “black ass” around. § 87(2)(b)

was transported to the 47th Precinct stationhouse and released approximately 40 minutes later with two summonses for § 87(2)(b).

After his release, § 87(2)(b) took § 87(2)(b) to the emergency room at § 87(2)(b) for medical treatment. Medical records note that § 87(2)(b)'s chief complaint was bruising to his upper left arm and on the left side of his head resulting from arrest (encl. 23A-G). § 87(2)(b) told medical personnel the following regarding the incident: Police showed up at his house. § 87(2)(b) stated that his car was stolen. A verbal dispute occurred § 87(2)(b) did not specify between whom). Police then "assaulted" § 87(2)(b) and he was "dragged" and handcuffed on the ground.

Victim: § 87(2)(b)

- § 87(2)(b) a black woman who stand 5'6" tall, weighs 170 lbs., and has brown hair and brown eyes, was § 87(2)(b) at the time of the incident.

CCRB Statement

On January 11, 2012, § 87(2)(b) provided a phone statement (encl. 8A). On January 26, 2012, § 87(2)(b) provided a phone interview (encl. 9A-D) On April 4, 2012, § 87(2)(b) came to the CCRB in-person to file a separate complaint (§ 87(2)(b)). While she was at the CCRB, § 87(2)(b) answered clarification questions and signed a verification form (encl.10A). § 87(2)(g)

Before § 87(2)(b) had finished parking her car, at least four police cars arrived at the location with turret lights activated. Neither § 87(2)(b) nor § 87(2)(b) made any statements or movements prior to officers approaching her car. § 87(2)(b)'s car is a blue, 2000 Dodge Durango. PO Ravelo and PO Perez drew but did not point their guns. PO Ravelo and PO Perez approached § 87(2)(b)'s side of the car, and two officers (PO2 and PO3) approached § 87(2)(b)'s side of the car. § 87(2)(b) described PO Ravelo as a Hispanic man who stood between 5' and 5'7" tall, had dark hair, and was shorter than PO Perez. § 87(2)(b) read PO Ravelo's name as "Martinez" off his shield. § 87(2)(b) could not provide detailed descriptions of any other officers, stating that all the other officers involved in the incident were white men in their 30's or 40's who stood 5'5" to 5'7" tall. § 87(2)(b) did not describe any officer matching the description of PO1.)

§ 87(2)(b) exited the car voluntarily, and then two more white male officers (PO4 and PO5) joined PO Ravelo and PO Perez. The officers instructed § 87(2)(b) to turn around, and he complied. PO Ravelo and PO Perez pushed § 87(2)(b) against the side of the car and put his head against the car. § 87(2)(b) became upset and asked the officers why they were doing this. PO Ravelo and PO Perez began to search § 87(2)(b) without performing a prior frisk. § 87(2)(b) initially stated that she saw the search of § 87(2)(b) through her open car windows, and later stated that she first noticed the search after exiting her car. § 87(2)(b) did not recall if was handcuffed before or after § 87(2)(b) he was searched. PO Ravelo and PO Perez searched § 87(2)(b)'s cargo pockets first and then his side pockets shorts, extracted the contents of § 87(2)(b)'s pockets, and threw them on the ground and on the car. § 87(2)(b) did not see any officer remove § 87(2)(b) watch, but did later observe that the watch had been removed. § 87(2)(b) did not describe observing any damage to the watch in her CCRB interview. PO Ravelo and other officers—§ 87(2)(b) did not recall which—and called § 87(2)(b) a "dick" and a "faggot" during the search. § 87(2)(b) called the officers "dick" and "faggot" in response.

While § 87(2)(b) was being searched, § 87(2)(b) asked PO2 and PO3 what was going on, and they did not respond. § 87(2)(b) exited her vehicle without being instructed to do so and without warning the officers that she would do so. PO2 and PO3 drew their guns and pointed them at § 87(2)(b) and told her not to move. PO4 and PO5 drew their guns and pointed them at § 87(2)(b) while PO Ravelo and PO Perez were restraining him. § 87(2)(b) put her hands up and asked the officers why they were pointing their guns. The officers put away their guns.

§ 87(2)(b) heard § 87(2)(b) state to unknown officers that she § 87(2)(b) had called 911 and that § 87(2)(b) was not the perpetrator. § 87(2)(b) did not make any allegations that an officer cursed at any members of the crowd that gathered at the location, nor did she make any allegations that any officer made any references to § 87(2)(b)'s race.

§ 87(2)(b) saw officers pick up § 87(2)(b) from the ground and escort him into a prisoner van. § 87(2)(b) did not see how or at what point during the incident § 87(2)(b) got on the ground. § 87(2)(b) became extremely irate in the prisoner van and shouted. § 87(2)(b) went to the prisoner van to try and calm down § 87(2)(b) and she observed swelling on his wrists, blood on his left hand, scrapes on both forearms, and blood on his head.

Witness: § 87(2)(b)

- § 87(2)(b) a black woman who stands 5'5" tall, weighs 230 lbs., and has black hair and brown eyes, was § 87(2)(b) at the time of the incident.

On January 18, 2012, § 87(2)(b) provided a phone statement (encl. 11A). § 87(2)(g)

On September 4, 2011, at 10:33 p.m., § 87(2)(b) came to § 87(2)(b)'s home at § 87(2)(b) in the Bronx and threatened to shoot § 87(2)(b)'s daughter, § 87(2)(b) and then left the location. § 87(2)(b) and § 87(2)(b) contacted the police. Two officers responded to the location, took no police action, and then left. The perpetrator returned to the location later that night and left again. At 12:02 a.m. on September 5, 2011, § 87(2)(b) and § 87(2)(b) called the police again, and PO Ravelo and PO Perez (identified by investigation) responded to the location. § 87(2)(b) told PO Ravelo and PO Perez that the suspect was in a green Explorer.

§ 87(2)(b) observed the interaction of PO Ravelo and PO Perez with § 87(2)(b) and § 87(2)(b) from her stoop, approximately three or four car lengths away. When § 87(2)(b) and § 87(2)(b) arrived at the location, PO Ravelo and PO Perez immediately approached and asked § 87(2)(b) and § 87(2)(b) to exit the car. § 87(2)(b) refused to get out of the car, stated that he had not done anything, and asked the officers why they were stopping him. § 87(2)(b) was physically removed from the car and placed against it by one or both of the officers (§ 87(2)(b) did not recall which). PO Ravelo and PO Perez repeatedly told § 87(2)(b) to face the vehicle, but § 87(2)(b) repeatedly tried to turn around. § 87(2)(b) physically turned § 87(2)(b) to face the vehicle. § 87(2)(b) became increasingly agitated and raised his voice in talking to the officers, asking why they had stopped him. The officers did not tell § 87(2)(b) why they had stopped him. PO Ravelo and PO Perez handcuffed § 87(2)(b) and § 87(2)(b) continued to ignore instructions to face the vehicle. § 87(2)(b) was then searched or § 87(2)(b) could not remember which. § 87(2)(b) PO Ravelo, and PO Perez used profanity in speaking with each other. § 87(2)(b) did not recall what specific profanities PO Ravelo and PO Perez used. § 87(2)(b) did not recall any other use of any profanity by any officers toward any civilians.

§ 87(2)(b)'s sister § 87(2)(b) and approximately nine other people approached PO Perez and PO Ravelo, coming within three feet of them. § 87(2)(b) told the officers that they had stopped the wrong people. An officer—§ 87(2)(b) did not recall which—told the crowd to get back twice. The crowd moved back somewhat but continued to talk to the officers. The same officer told the crowd to move back or they would be arrested. The crowd moved further back. § 87(2)(b) walked around to the side of § 87(2)(b)'s car that was opposite § 87(2)(b). § 87(2)(b) then heard but did not see § 87(2)(b) hit the ground. § 87(2)(b) went back to the other side of the car and saw that officers had put § 87(2)(b) on the ground.

Approximately four or five more police cars arrived at the location. § 87(2)(b) saw § 87(2)(b)'s watch on the ground but did not see how it got there. § 87(2)(b) took possession of the watch. § 87(2)(b) did not recall observing any injuries on § 87(2)(b). § 87(2)(b) did not recall seeing any officers draw their weapons. § 87(2)(b) did not hear any officers make any remarks regarding the race of § 87(2)(b).

Between January 18, 2012, and January 27, 2013, eight calls were made to § 87(2)(b) and three letters and two e-mails were sent to her. § 87(2)(b) scheduled two CCRB interviews and missed them both without calling ahead to cancel. The letters and e-mails sent to § 87(2)(b) were never returned, and she has not contacted the CCRB since September 26, 2012. According to the New York City Department of Correction Inmate Tracking System and the New York State Department of Corrections and Community Supervision Inmate Population Information Search, § 87(2)(b) was not incarcerated as of February 12, 2013.

Victim: § 87(2)(b)

- § 87(2)(b) *a black woman who stands 5'4" tall, weighs 155 lbs., and has brown hair and brown eyes, was § 87(2)(b) at the time of the incident.*

§ 87(2)(b) provided a phone statement on January 27, 2012 (encl. 12A-B). § 87(2)(g)

At the time of the incident § 87(2)(b) was harassed at § 87(2)(b) in the Bronx by her uncle, aunt, and two other females, who were traveling in a dark green or navy blue Jeep Durango. § 87(2)(b)'s aunt, § 87(2)(b) was armed with a gun at the time of the incident. Before the perpetrators left, one of the females told § 87(2)(b) that they would be back. § 87(2)(b) called 911, and PO Ravelo and PO Perez responded to the location. § 87(2)(b) provided PO Ravelo and PO Perez with a description of the perpetrators' vehicle and informed them that one of the perpetrators had a gun.

§ 87(2)(b) was on her porch when § 87(2)(b) and § 87(2)(b) arrived at the location. § 87(2)(b)'s car was so similar to the perpetrators' car that § 87(2)(b) initially thought that the perpetrators had returned. PO Ravelo and PO Perez drew their guns, approached § 87(2)(b) and § 87(2)(b)'s car, and told them to put their hands up. PO Ravelo approached § 87(2)(b)'s window, and PO Perez approached § 87(2)(b)'s window. § 87(2)(b) repeatedly shouted "What the fuck?" and asked what was going on. § 87(2)(b) then realized that it was § 87(2)(b) and § 87(2)(b) who were in the car, not the perpetrators. § 87(2)(b) approached PO Ravelo and PO Perez and yelled to them that they had stopped the wrong individuals. PO Ravelo and PO Perez told § 87(2)(b) and § 87(2)(b) to exit the car. § 87(2)(b) complied, but § 87(2)(b) refused and stated that he had not done anything. PO Ravelo pulled § 87(2)(b) out of the car, and PO Perez joined him

at § 87(2)(b)'s side of the car. A police van arrived at the location. PO Ravelo and PO Perez tried to handcuff § 87(2)(b) but § 87(2)(b) waved his arms around and tried to jerk away from the officers. PO Ravelo and PO Perez put § 87(2)(b) on the ground.

§ 87(2)(b) screamed and cursed while he was on the ground. PO Ravelo and PO Perez told § 87(2)(b) to calm down and let them find out what was going on and then handcuffed him. § 87(2)(b) was extremely upset and repeatedly yelled, asking what was going on and cursing. An officer § 87(2)(b) do not recall which) searched § 87(2)(b) extracted § 87(2)(b)'s money and keys from his pocket, and gave the items to § 87(2)(b). § 87(2)(b) did not see any officers damage any of § 87(2)(b)'s property. PO Ravelo grabbed § 87(2)(b) by his back near his handcuffs and pushed him into the back side of a police van.

Several individuals who had been watching the incident approached § 87(2)(b) and PO Ravelo and stated that PO Ravelo had the wrong person. Officers told the individuals to get back. § 87(2)(b) stepped onto the sidewalk to talk to an officer and then heard a rumble by the van. § 87(2)(b) looked toward the van and saw that § 87(2)(b) was on the floor. § 87(2)(b) did not see how § 87(2)(b) got on the floor. PO Ravelo called § 87(2)(b) a “stupid motherfucker” and told him that now he was going to jail.

PO Ravelo said to § 87(2)(b) that § 87(2)(b) did not want to shut the “fuck” up and that if he would shut the “fuck” up he (PO Ravelo) could figure out what was going on. § 87(2)(b) and § 87(2)(b)'s fiancé, § 87(2)(b) were standing with § 87(2)(b) when PO Ravelo made these remarks. No other officer used any profanity, and no officer made any offensive remarks with regard to § 87(2)(b)'s race.

Between January 18, 2012, and February 12, 2013, eight calls were made to § 87(2)(b) and two letters and two e-mails were sent to her. § 87(2)(b) who lives in Allentown, Pennsylvania, scheduled two CCRB interviews on dates when she planned to be in New York City visiting family. § 87(2)(b) missed both interviews without calling ahead to cancel. The letters and e-mails sent to her, including an affidavit version of her statement sent to her after she missed two CCRB interviews, were never returned. § 87(2)(b) has not contacted the CCRB since September 25, 2012. According to the New York City Department of Correction Inmate Tracking System and the New York State Department of Corrections and Community Supervision Inmate Population Information Search, § 87(2)(b) was not incarcerated as of February 12, 2013.

Attempts to Contact Witnesses

The phone numbers provided by § 87(2)(b) for § 87(2)(b) and by § 87(2)(b) for § 87(2)(b) were not in service. No working alternate phone numbers could be found on Lexis Nexis, Yellowpages.com, Whitepages.com, or in CCRB or police records. § 87(2)(b) did not know § 87(2)(b)'s address. Between February 4, 2013, and February 11, 2013, letters were sent to three addresses for § 87(2)(b)—one provided by § 87(2)(b) and two found on Lexis Nexis and Whitepages.com—and to four addresses for § 87(2)(b) found in Department of Motor Vehicle Records, Yellowpages.com, and Lexis Nexis. Letters sent to two of the addresses for § 87(2)(b) and one of the addresses for § 87(2)(b) were returned-to-sender, and none of the other letters were returned. § 87(2)(b) and § 87(2)(b) have not contacted the CCRB to date. According to the New York City Department of Correction Inmate Tracking System and the New York State Department of Corrections and Community Supervision Inmate Population Information Search, neither § 87(2)(b) nor § 87(2)(b) was incarcerated as of February 12, 2013.

NYPD Statements:

Subject Officer: PO BRANDON RAVELO

- *PO Ravelo, a Hispanic man who stands 5'2" tall, weighs 210 lbs., and has black hair and brown eyes, was § 87(2)(b) old at the time of the incident.*
- *Worked from 5:30 p.m. on September 4, 2011, to 2:05 a.m. on September 5, 2011, assigned to the 47th Precinct Impact unit in marked car 3146 with PO Perez.*

Memo Book Entries

At 12:02 a.m., 10-39 at § 87(2)(b) At 12:08 a.m., arrived at location. At 12:14 a.m., 10-92, 10-96, to 47th Precinct stationhouse. SPRINT #§ 87(2)(b) § 87(2)(b) date of birth § 87(2)(b) § 87(2)(b), Bronx NY, Pennsylvania vehicle plate § 87(2)(b) (encl. 13A-C)

CCRB Statement

PO Ravelo was interviewed at the CCRB on September 27, 2012 (encl. 14A-C). On September 4, 2011 at 10:33 p.m., a radio call regarding an incident at § 87(2)(b) in the Bronx was aired, but PO Ravelo did not respond to that radio call. Later during the same tour, on September 5, 2011, at 12:02 a.m., PO Ravelo and PO Perez were on patrol in their car in the confines of the 47th Precinct in the Bronx when they received a radio call stating that an individual in a green Jeep with Pennsylvania license plates had a firearm at § 87(2)(b) in the Bronx. PO Ravelo initially stated that the radio call identified the weapon as a firearm, but later stated that he did not recall whether the weapon was identified as a firearm over the radio or by a complainant at the location. PO Ravelo did not recall whether any description of the perpetrator was provided.

PO Ravelo and PO Perez arrived at the location to find a green Jeep parked one or two house lengths from the location. Inside the Jeep were two individuals, later identified as § 87(2)(b) who was driving, and § 87(2)(b) who was in the front passenger seat. The officers assigned to the patrol sector in which § 87(2)(b) was located also responded to the location; PO Ravelo did not recall who these officers were.

PO Ravelo and PO Perez approached the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants alone. PO Ravelo and PO Perez did not talk to any civilians or police officers at the location prior to approaching § 87(2)(b) and § 87(2)(b). PO Ravelo approached the passenger side, and PO Perez approached the driver side. PO Ravelo drew his gun while approaching the Jeep. PO Ravelo did not recall whether he pointed his gun at anyone during the incident. PO Ravelo did not recall whether PO Perez drew his gun. PO Ravelo did not see PO Perez or any other officer point his or her gun at anyone during the incident.

PO Ravelo and PO Perez repeatedly issued instructions to § 87(2)(b) and § 87(2)(b) to show them their hands. § 87(2)(b) complied, but § 87(2)(b) did not. PO Ravelo instructed § 87(2)(b) to exit the car several times, and § 87(2)(b) eventually complied. PO Ravelo told § 87(2)(b) to put his hands against the car and spread his legs. § 87(2)(b) complied, and PO Ravelo began to frisk § 87(2)(b). § 87(2)(b) interfered with PO Ravelo's attempt to frisk him by repeatedly dropping his hands and pushing PO Ravelo. PO Ravelo tried to overcome § 87(2)(b)'s resistance by pushing § 87(2)(b) against the car and telling him to keep his hands on the car. PO Ravelo finally succeeded in overcoming § 87(2)(b)'s resistance by bear hugging him and forcing him to the ground. This was the only time PO Ravelo recalled § 87(2)(b) falling to the ground during the incident. § 87(2)(b)'s head did not strike any hard surfaces during this fall,

and PO Ravelo did not at any point deliberately strike § 87(2)(b)'s head against any hard surfaces or witness any other officer do so. PO Ravelo did not witness any contact between § 87(2)(b)'s head and any hard surfaces during the incident.

PO Perez and other officers (PO Ravelo did not recall who) came to PO Ravelo's assistance, grabbed § 87(2)(b)'s arms, and handcuffed him. It took approximately one minute to handcuff § 87(2)(b). PO Ravelo and PO Perez then frisked § 87(2)(b). PO Ravelo frisked § 87(2)(b)'s waistband and ankles. PO Ravelo did not recall what parts of § 87(2)(b)'s body PO Perez frisked. PO Ravelo did not search § 87(2)(b) at that time and did not search him prior to frisking him. § 87(2)(b) exited her car at some point in the incident; PO Ravelo did not recall when.

§ 87(2)(b) cursed at officers throughout the incident. PO Ravelo did not use any profanity whatsoever toward any civilian and did not hear any other officer do so. PO Ravelo did not make any reference to § 87(2)(b) race or sexual orientation and did not hear any other officer do so. PO Ravelo told § 87(2)(b) that he was under arrest but did not recall at what point he made this statement. PO Ravelo believed this statement was a statement of fact and not an unfounded threat. PO Ravelo did not hear any officer threaten to arrest § 87(2)(b). After handcuffing § 87(2)(b), § 87(2)(b) was put against the hood of a police car. § 87(2)(b) approached PO Ravelo and told him that § 87(2)(b) and § 87(2)(b) were not the perpetrators and that the perpetrators had been in a different green Jeep.

A crowd of approximately thirty people gathered outside during the incident and shouted derogatory statements directed at police officers during the incident. Approximately five to ten additional officers arrived at the location. PO Ravelo did not recall the names or ranks of the officers who responded to the incident location. § 87(2)(b) was put into a police car. PO Ravelo then searched § 87(2)(b). PO Ravelo did not recall if he removed any possessions, including a watch, from § 87(2)(b)'s person. PO Ravelo did not damage any of § 87(2)(b)'s property and did not see any other officer do so. § 87(2)(b) was taken to the 47th Precinct stationhouse and later released with a summons. § 87(2)(b) did not have any injuries.

Subject Officer: PO CARLOS PEREZ

- *PO Perez, a Hispanic man who stands 5'9" tall, weighs 260 lbs., and has black hair and brown eyes, was § 87(2)(b) old at the time of the incident.*
- *PO Perez worked from 5:30 p.m. on September 3, 2011 to 2:05 a.m. on September 4, 2011, in uniform, assigned to the 47th Precinct Impact team in marked car 3146 with PO Ravelo.*

Memo Book Entries

At 12:02 a.m., 10-39 at § 87(2)(b). At 12:08 a.m., arrived at location. At 12:14 a.m., arrest to summons at 47th Precinct stationhouse. At 12:17 a.m., arrived at stationhouse. At 12:19 a.m., § 87(2)(b) male, date of birth § 87(2)(b). Two summonses for disorderly conduct. SPRINT # § 87(2)(b) (encl. 18A-C)

Summonses

At 12:14 a.m., PO Perez issued two § 87(2)(b) summonses, numbers § 87(2)(b) and § 87(2)(b) to § 87(2)(b) (encl. 17A). § 87(2)(b)

CCRB Statement

PO Perez was interviewed at the CCRB on September 28, 2012 (encl. 18A-C). § 87(2)(g)

PO Perez did not recall the details of the vehicle described over the radio, but did recall that § 87(2)(b)'s car matched the description in color, make, and model. No officer drew his or her gun or pointed his or her gun at anyone at any point during the incident. § 87(2)(b) immediately began to curse and yell when § 87(2)(b) approached his car. PO Perez did not recall what § 87(2)(b) stated. After § 87(2)(b) exited the car, PO Ravelo tried to explain to him why he had been stopped. § 87(2)(b) talked over PO Ravelo and flailed his arms. PO Perez went to assist PO Ravelo. PO Ravelo then tried to frisk § 87(2)(b) but § 87(2)(b) resisted by flailing his arms.

Sgt. Timothy Dowling and other officers (PO Perez did not recall who) arrived at the location. PO Ravelo and PO Perez attempted to handcuff § 87(2)(b) but he resisted by flailing his arms. PO Ravelo, PO Perez, and several other officers overcame § 87(2)(b)'s resistance by grabbing his arms, putting him against § 87(2)(b)'s car, and handcuffing him. PO Perez did not hit § 87(2)(b) against any other hard surface and did not see any other officer do so. PO Perez did not observe § 87(2)(b)'s head have any accidental contact with any hard surfaces. PO Perez did not observe any injuries on § 87(2)(b). § 87(2)(b) was not thrown to the ground by any officer and did not accidentally fall to the ground at any point during the incident.

After § 87(2)(b) was handcuffed, PO Ravelo frisked § 87(2)(b) and then PO Perez frisked § 87(2)(b). PO Perez did not search § 87(2)(b) or damage any of his property, and did not witness any other officer do so. PO Perez did not witness any officers other than PO Ravelo make any statements to § 87(2)(b). PO Perez did not witness Sgt. Dowling have any interaction with § 87(2)(b). PO Perez did not use any profanity during the incident and did not hear any other officer do so. PO Perez did not make any comments regarding the race or sexual orientation of § 87(2)(b) and did not hear any other officer do so. No officer threatened any civilians with arrest at any point during the incident.

Subject Officer: SGT. TIMOTHY DOWLING

- *Sgt. Dowling, a white man who stands 5'10" tall, weighs 165 lbs., and has brown hair and brown eyes, was § 87(2)(b) old at the time of the incident.*
- *Sgt. Dowling worked from 5:15 p.m. on September 3, 2011, to 4:12 a.m. on September 4, 2011, in uniform, as the 47th Precinct Impact team supervisor in a marked car.*

Memo Book Entries

At 12:15 a.m., § 87(2)(b) arrest by PO Ravelo at § 87(2)(b) (encl. 20A-C)

CCRB Statement

Sgt. Dowling was interviewed at the CCRB on October 3, 2012 at the CCRB (encl. 21A-B). Sgt. Dowling did not recall the incident, and did not recall who his partner was on the date of the incident. Sgt. Dowling was shown multiple documents regarding the incident, including the 47th Precinct roll call, a picture of § 87(2)(b) and copies of the summons issued to § 87(2)(b) but viewing these documents failed to refresh Sgt. Dowling's memory of the incident.

Officers Not Interviewed

§ 87(2)(g)

Medical Records

On § 87(2)(b) § 87(2)(b) was admitted to the emergency room at § 87(2)(b). He was evaluated at § 87(2)(b) and was discharged at § 87(2)(b). The following injuries were observed on § 87(2)(b) by medical personnel: bruising to § 87(2)(b)'s upper left arm, bruising to the upper left part of his head, and abrasions, bruising, and swelling on his right hand and wrist. Medical records did not note what treatment, if any, § 87(2)(b) was given. It was noted that § 87(2)(b) had a history of bipolar disorder. § 87(2)(b)'s demeanor at the time of his medical treatment was calm and cooperative. (encl. 23A-G)

NYPD Documents

Police Communications Records

On September 4, 2011, at 10:33 a.m., an anonymous male caller stated that there was a large group of kids fighting at § 87(2)(b) (encl. 24A). At 10:35 a.m., an unidentified female caller stated that there was a black female with a knife at the location (encl. 24B-C). Officers patrolling 47th Precinct sectors B, E, and F responded to the location, found no one with a knife at the location, and reported that a non-crime had been corrected. No arrests or summonses arrested.

On September 5, 2011, at 12:02 a.m., § 87(2)(b) called 911 again and stated that females had returned (encl. 24D-E). At 12:03 a.m., § 87(2)(b) stated that the females were armed and were in a dark green Dodge Durango. No description of the license plates were given. At 12:05 a.m., § 87(2)(b) stated that one of the females was a Department of Corrections officer who was repeatedly coming to the location house and making threats to a female. The SPRINT does not specify with what type of weapons the females were armed. The radio call was broadcast over a police radio as a 10-39Q2, which signifies that there is a crime in progress outside a location. At 12:06 a.m., PO Ravelo and PO Perez reported that they had arrived at the location and stopped a Durango. At 12:13 a.m., a sergeant from the 49th Precinct arrived at the location. At 12:13 a.m., PO Perez and Ravelo reported that they had made one arrest. At 12:14 a.m., Sgt. Dowling reported that he was responding to the location. At 12:15 a.m., officers assigned to 47th Precinct sector A arrived at the location with an unspecified supervisor. At 12:21 a.m., an unspecified sergeant from the 47th Precinct responded to the location. At 1:02 a.m., officers assigned to 47th Precinct sector A reported that they were going to stationhouse regarding job. At 2:17 a.m., it was noted that a summons was served.

47th Precinct Command Log

The 47th Precinct command log notes that § 87(2)(b) was brought to the 47th Precinct stationhouse at 12:25 a.m. on September 5, 2011 after having been arrested by PO Ravelo. Sgt. Dowling verified the arrest. § 87(2)(b) was in apparently normal condition and released at 12:47 a.m. with issued two § 87(2)(b) summonses (25A).

47th Precinct Roll Calls

The 47th Precinct roll call for Tour 3 on September 4, 2011 notes that Sgt. Dowling worked as Impact Supervisor and that PO Ravelo and PO Perez were assigned to the Impact team in RMP 3146 (encl. 26A-I). The roll call does not indicate a vehicle assignment for Sgt. Dowling.

Summons/Arrest for Incident and Disposition

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Status of Civil Proceedings

- [§ 87(2)(b)] filed claim # [§ 87(2)(b)] with the City of New York on [§ 87(2)(b)] regarding the incident (encl. 4A-H). A 50-H hearing was held on [§ 87(2)(b)]. Between February 6, 2013, and February 12, 2013, four calls were made to [§ 87(2)(b)]'s legal representative, [§ 87(2)(b)], and two e-mails were sent to him to request his written authorization to obtain a copy of the 50-H hearing transcript. On February 11, 2013, [§ 87(2)(b)] stated that he would provide said authorization. On February 13, 2012, [§ 87(2)(b)] assistant stated that his office was processing the request. On February 15, 2012, [§ 87(2)(b)] sent an e-mail stating that he was still processing the request. As of February 21, 2013, [§ 87(2)(b)] had not provided the CCRB with authorization to obtain a copy of the 50-H hearing transcript.

Civilian Criminal Histories

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian CCRB Histories

- [§ 87(2)(b)] has filed the following additional CCRB complaints (encl. 2A):

- [§ 87(2)(b)]

- [§ 87(2)(b)] is a complainant in case [§ 87(2)(b)]

- [§ 87(2)(b)] filed complaint [§ 87(2)(b)]

Subject Officer CCRB Histories

- Sgt. Dowling has been a member of the service for nine years, and there are no substantiated CCRB allegations against him (encl. 1A).
- PO Perez has been a member of the service for three years, and there are no substantiated CCRB allegations against him. In case 201107784, other misconduct was noted against PO Perez for failure to prepare a Stop, Question and Frisk Report (encl. 1B)
- PO Ravelo has been a member of the service for three years, and there are no substantiated CCRB allegations against him. (encl. 1C-D).

Conclusion

Allegations Not Pled

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(f)

Identification of Subject Officers

PO Ravelo and PO Perez confirmed their participation in the incident. Although Sgt. Dowling did not recall the incident, he had a memo book entry confirming his participation in the incident.

§ 87(2)(g)

Investigative Findings and Recommendations

Allegation A – PO Carlos Perez stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation B – PO Brandon Ravelo stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.

It is undisputed that PO Ravelo and PO Perez stopped § 87(2)(b) and § 87(2)(b). PO Ravelo and PO Perez both stated that they stopped § 87(2)(b) and § 87(2)(b) because the vehicle in which they were occupants fit a description provided in a radio run for a vehicle occupied by armed perpetrators in make, model, and color.

Police communications records note that, at 12:02 a.m., a crime in progress was reported outside § 87(2)(b) § 87(2)(b). At 12:03 a.m., it was reported that the perpetrators were armed females in a dark green Dodge Durango. At 12:06 a.m., PO Ravelo and PO Perez reported that they had stopped a Durango at the location.

§ 87(2)(b) s vehicle, according to her own statement, was a blue Dodge Durango. § 87(2)(b) stated that the perpetrators had driven a dark green or navy blue Durango and that § 87(2)(b) s car was so similar looking to that of the perpetrators', § 87(2)(b) initially mistook § 87(2)(b) s car for that of the perpetrators and only realized her mistake when she heard § 87(2)(b) shouting inside the car. § 87(2)(b) stated that she provided PO Ravelo and PO Perez with a description of the perpetrators' vehicle upon their arrival and informed them that one of the perpetrators had a gun.

Officers may stop an individual when they possess reasonable suspicion that the individual has committed, is committing, or is about to commit a violation of the law. People v. De Bour, 40 N.Y.2d 210, (1976) (encl.0A-K). Reasonable suspicion exists when officers encounter a vehicle in close spatial and temporal proximity to the location of a reported crime that fits a radio description of the perpetrator's vehicle in make, model, and color. People v. Bianchi, 208 A.D.2d 551 (1994 - 2nd Dept.) (encl. 0L-N).

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Allegation C – Force: Officers pointed their guns at § 87(2)(b) and § 87(2)(b)
§ 87(2)(b) alleged that PO Ravelo and PO Perez pointed their guns at himself and § 87(2)(b) upon stopping them. § 87(2)(b) alleged that PO Ravelo and PO Perez drew but did not point their guns upon stopping herself and § 87(2)(b) § 87(2)(b) further alleged that when she exited the car without warning and with being instructed to do so, two unidentified officers pointed their guns at herself and two other unidentified officers pointed their guns at § 87(2)(b)

PO Ravelo admitted to drawing his gun, but denied that he pointed it. PO Ravelo did not see any other officer draw his or her gun and did not recall whether PO Perez drew his gun. PO Perez denied that he, PO Ravelo, or any other officer drew or pointed his or her gun at any point during the incident. Sgt. Dowling did not recall the incident.

§ 87(2)(b) stated that PO Ravelo and PO Perez drew but did not point their guns upon stopping § 87(2)(b) and § 87(2)(b) § 87(2)(b) did not describe any officers drawing their guns.

Officers may draw or point their weapons when they have a reasonable basis to believe that their own lives or the lives of others are endangered. Police Department v. Gliner, OATH Index No. 955/00 (2000) (encl. 00-AG).

§ 87(2)(g)

Allegation D – Abuse of Authority: PO Brandon Ravelo searched § 87(2)(b)

Allegation E – Abuse of Authority: PO Brandon Ravelo acted discourteously toward § 87(2)(b)

Allegation F – Abuse of Authority: PO Brandon Ravelo damaged § 87(2)(b) **s**
property.

It is undisputed that PO Ravelo searched § 87(2)(b) § 87(2)(g)

§ 87(2)(b) alleged that PO Ravelo searched him immediately upon encountering him and without performing a prior frisk, that PO Ravelo extracted the contents of his pockets and discourteously tossed the them onto nearby parked cars, and that PO Ravelo ripped off his watch, breaking the band.

PO Ravelo denied that he attempted to search § 87(2)(b) before attempting to frisk him and stated that he only searched § 87(2)(b) after § 87(2)(b) was handcuffed, incident to the lawful arrest of § 87(2)(b). PO Ravelo did not recall if he removed any possessions from § 87(2)(b)'s person and denied that he damaged any of § 87(2)(b)'s property. PO Perez did not witness any officer search § 87(2)(b) or damage his property.

§ 87(2)(b) stated that both PO Ravelo and PO Perez searched § 87(2)(b) and threw the contents of his pockets on the floor, but she did not observe whether § 87(2)(b) was handcuffed at the time of the search. § 87(2)(b) observed that § 87(2)(b)'s watch had been removed, but did not describe any damage to the watch.

§ 87(2)(b) who did not provide a verified statement, stated that § 87(2)(b) was already handcuffed when an unknown officer searched him and that the officer gave the extracted contents of § 87(2)(b)'s pocket to § 87(2)(b). § 87(2)(b) did not see any officers damage any of § 87(2)(b)'s property.

§ 87(2)(b) who did not provide a verified statement, stated that unknown officers either frisked or searched § 87(2)(b) after he was handcuffed. § 87(2)(b) did not describe observing any officer discarding § 87(2)(b) possessions, and although she observed § 87(2)(b)'s watch lying on the ground, she did not observe how the watch got there and did not describe observing any damage to the watch.

§ 87(2)(g)

Allegation G – Discourtesy: PO Brandon Ravelo spoke discourteously to § 87(2)(b) and individuals.

§ 87(2)(b) alleged that PO Ravelo called him a “dick” multiple times and told the crowd which had gathered at the location to shut the “fuck” up and mind their “fucking” business. § 87(2)(b) alleged that PO Ravelo said to her that § 87(2)(b) did not want to shut the “fuck” up and that if he had shut the “fuck” up he (PO Ravelo) could figure out what was going on. § 87(2)(b) did not hear any other uses of profanity by any officer toward any civilians, and she did not provide a verified statement.

PO Ravelo denied that he used any profanity, and PO Perez denied that he heard any officer use any profanity. Sgt. Dowling did not recall the incident.

§ 87(2)(g)

§ 87(2)(g)

Allegation H – Force: PO Brandon Ravelo used physical force against § 87(2)(b)

§ 87(2)(g) it is undisputed that PO Ravelo used physical force against § 87(2)(b). § 87(2)(g) told IAB that PO Ravelo and unspecified officers “beat the shit” out of him. While receiving medical treatment, § 87(2)(b) told medical personnel that he had been “assaulted” and “dragged” on the ground by unspecified officers. § 87(2)(b) did not repeat these allegations in his Notice of Claim or his CCRB interview. In his Notice of Claim, § 87(2)(b) alleged that PO Ravelo pushed him and that PO Ravelo lifted his handcuffs up, causing him to hit his head on a vehicle. In his CCRB interview, § 87(2)(b) did not allege that PO Ravelo pushed him. The only allegation of force made by § 87(2)(b) in his CCRB interview was that PO Ravelo lifted his handcuffs up, causing him to lose balance, fall down, and hit his head on the ground, causing him to sustain a cut to his head which bled.

PO Ravelo stated that he pushed § 87(2)(b) against § 87(2)(b)'s car and then bear hugged him and forced him to the ground in order to overcome § 87(2)(b)'s physical resistance to being frisked. PO Ravelo stated that § 87(2)(b)'s head did not hit any hard surface when he forced him to the ground, that he did not deliberately strike § 87(2)(b)'s head against any surface, and that

he did not observe any incidental contact between § 87(2)(b)'s head any hard surface at any point during the incident. The use of force to which PO Ravelo admitted occurred prior to § 87(2)(b) being handcuffed.

None of the witnesses to the incident corroborated either § 87(2)(b) or PO Ravelo's version of events. PO Perez stated that he, PO Ravelo, and other unidentified officers restrained § 87(2)(b) in order to overcome his resistance to being frisked and handcuffed by grabbing his arms and placing him against § 87(2)(b)'s vehicle. PO Perez denied that § 87(2)(b) was ever forced to the ground or accidentally fell to the ground during the incident. PO Perez did not witness any officer deliberately strike § 87(2)(b)'s head against any surface and did not observe any incidental contact between § 87(2)(b)'s head any hard surface at any point during the incident. § 87(2)(b) and § 87(2)(b) observed § 87(2)(b) on the ground, but did not see how he came to be on the ground.

Medical records noted that bruising was observed on the upper left part of § 87(2)(b)'s head. No bleeding or lacerations were observed on § 87(2)(b)'s head.

§ 87(2)(g)
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§ 87(2)(g)

Allegation I – Offensive Language: Sgt. Timothy Dowling made a remark to § 87(2)(b) based upon race.

§ 87(2)(b) alleged that Sgt. Dowling told him to shut the “fuck” up and turn his “black ass” around. Sgt. Dowling did not recall the incident. PO Ravelo and PO Perez did not hear any officer make any remarks regarding § 87(2)(b)'s race. § 87(2)(b) did not describe hearing any officer make any comment regarding § 87(2)(b)'s race. § 87(2)(b) and § 87(2)(b) both stated that they did not hear any officer make any reference to § 87(2)(b)'s race. Neither § 87(2)(b) nor § 87(2)(b) provided a verified statement. § 87(2)(g)

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date